

28. The process according to claim 24 wherein said GDF-1 protein is encoded by a human nucleotide sequence.

29. The process according to claim 24 wherein said GDF-1 protein is encoded by a mouse nucleotide sequence.

Sub E3
D3 30. The process according to claim 24 wherein said GDF-1 protein has a molecular weight of 41K or 38K as shown in Figure 4.

31. The protein according to claim 4 wherein said GDF-1 protein has a GDF-1 amino acid sequence as defined in Figure 2.

32. The protein according to claim 9 wherein said protein has the GDF-1 amino acid sequence given in Figure 2.

33. The protein according to claim 9 wherein said protein has the GDF-1 amino acid sequence given in Figure 11A or 11B.--

REMARKS

Claims 4-10 and 22-33 are pending.

The amendments to the claims find support throughout the original disclosure and, thus, do not introduce new matter.

LEE - Appln. No. 08/971,338

See, in particular, pages 20-22 and 25-27 of the present specification.

The attached Rule 132 Declaration by Ted Ebendal along with supporting materials shows that GDF-1 protein potentiates the effect of neurotrophin-3 protein on neuronal fibre outgrowth. Such potentiation activity is also found for members of the TGF- β superfamily, and it directly supports a finding of similarity in biological activities between GDF-1 and other members of the TGF- β superfamily (see pages 12-14 of the present specification). Applicant submits that such evidence refutes the allegations made by the Examiner that the specification does not teach a practical use for GDF-1.

A favorable action on the merits is earnestly requested. If any further information is required, the Examiner is invited to contact the undersigned.

Respectfully submitted,

Cushman Darby & Cushman
Intellectual Property Group of
PILLSBURY MADISON & SUTRO, L.L.P.

By 

Paul N. Kokulis
Reg. No. 16,773
Telephone: (202) 861-3503
Facsimile: (202) 822-0944

1100 New York Avenue, N.W.
Ninth Floor, East Tower
Washington, D.C. 20005-3918
Phone: (202) 861-3000